

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-against-

RICHARD XIA, a/k/a YI XIA; and
FLEET NEW YORK METROPOLITAN
REGIONAL CENTER, LLC, f/k/a FEDERAL
NEW YORK METROPOLITAN REGIONAL
CENTER, LLC;

Defendants,

-and-

JULIA YUE, a/k/a JIQING YUE,

Relief Defendant.

21 Civ. 5350 (PKC)

**LIMITED APPLICATION RELATING SOLELY TO BANK ACCOUNT
REFERENCED IN MONITOR'S FIRST INTERIM FEE APPLICATION**

M. Scott Peeler, the duly appointed Monitor in this action (the "Monitor"), in accordance with Paragraph 31 of the Order Appointing Monitor signed on September 27, 2021 (the "Monitor Order"), hereby submits this Application ("Limited Application") in furtherance of the pending Motion for Approval of First Interim Fee Application ("Application"), solely for the purposes of identifying a different bank account from which the requested fees will be paid.

1. In the Application, I identified the HSBC bank account, the Grand Eastern Mirage Group LLC, ending in 0708 ("HSBC Account"), as the account from which the requested fees should be paid.

2. I subsequently learned that the HSBC Account may not have sufficient funds to satisfy this purpose.

3. It is my understanding that the CTBC account, Eastern Emerald Group LLC, ending in 0808 (“CTBC account”), has sufficient funds with which to pay an award on the First Interim Fee Applications.

4. I therefore request that the Proposed Order submitted with the Application be amended to substitute the CTBC account for the HSBC account, or that the Court issue the Revised Proposed Order submitted together with this Limited Application.

WHEREFORE, the Monitor respectfully requests that the Court:

1. Amend the Proposed Order submitted with the Application to substitute the CTBC Account for the HSBC Account, or sign the Revised Proposed Order submitted with this Limited Application, and direct that the CTBC Account be unfrozen to the extent required to fund the Fee Total, including the holdback amount.
2. Grant such other relief as the Court deems appropriate.

Dated: December 27, 2021

Respectfully submitted,

ARENT FOX LLP

By: s/M. Scott Peeler

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Court Appointed Monitor